

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

02 APR 12 AM 10:02

Plaintiff,

69cv07941 JEC-ACE

v.

Ramon Aragon, *et al.*,

RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
& Canjilon Creek

Defendants.

MOTION TO SET ASIDE ENTRY OF DEFAULT

COMES NOW the plaintiff, State of New Mexico, *ex rel.* State Engineer, by and through his attorneys, and moves the Court to set aside the clerk's entry of default for the following defendants:

Erlinda Casados CHCJ-002-0019

Robert Casados CHCJ-002-0019

Deluvina Garcia CHCJ-003-0034

Orlando Garcia CHCJ-003-0034

As grounds therefore plaintiff states that the Clerk's Certificate of Default (Docket No. 6530) with respect to the above named defendants was entered on February 11, 2002. Notice of the entry of default was mailed to defendants. Since the mailing of the notice of default, the above named defendants have signed consent orders that will adjudicate their water rights by agreement.

WHEREFORE, the plaintiff State of New Mexico requests the Court to set aside the entry of default of the above named defendants.

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Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Vacate Consent Order in Subfile CHCJ-004-0036 and for Leave to File New Consent Order was mailed to the following persons on April 12, 2002.



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